

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                           |   |                                |
|---------------------------|---|--------------------------------|
| APPLICANT(S)              | : | TOSHIAKI KUDOH                 |
| FOR                       | : | SOIL IMPROVEMENT MATERIAL      |
|                           | : | UTILIZING MARINE RESOURCE, AND |
|                           | : | ITS MANUFACTURING METHOD       |
| SERIAL NO.                | : | 10/550,403                     |
| INTERNATIONAL FILING DATE | : | 29 March 2004                  |
| EXAMINER                  | : | Unknown                        |
| ART UNIT                  | : | Unknown                        |
| CONFIRMATION NO.          | : | 1005                           |
| ATTORNEY DOCKET NO.       | : | TOMI 200010                    |

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371 IN THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
Alexandria, VA 22313-1450

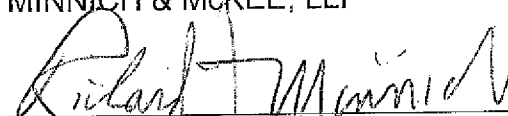
Dear Sir:

Responsive to the Notification of Missing Requirements (copy attached hereto) mailed May 9, 2006, Applicant(s) submit(s) an executed Declaration and Power of Attorney.

The \$65.00 fee in payment of the surcharge required under 37 CFR 1.16(f) for filing the Declaration later than the filing date of the application is authorized to be charged to a credit card. If the credit card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

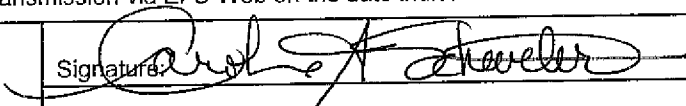
Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP



Richard J. Minnich, Reg. No. 24,175  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

July 10, 2006  
Date

| Certificate of Mailing or Transmission  |   |
|---|---|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below. |   |
| Date: July 10, 2006   | Signature:  |
|   | Name: Caroline A. Schweter  |

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**RECEIVED**

MAY 12 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 MINNICH & Fagan and McKee  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/550,403                  | Toshiaki Kudoh        | TOMI 200010      |

Richard J Minnich  
 Fay Sharpe Fagan Minnich & McKee  
 1100 Superior Avenue  
 Seventh Floor  
 Cleveland, OH 44114-2579

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/JP04/04750

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
|------------------|---------------|

03/29/2004

03/31/2003

**CONFIRMATION NO. 1005****371 FORMALITIES LETTER**

\*OC000000018721305\*

Date Mailed: 05/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/21/2005
- English Translation of the IA filed on 09/21/2005
- Copy of the International Search Report filed on 09/21/2005
- Preliminary Amendments filed on 09/21/2005
- Information Disclosure Statements filed on 09/21/2005
- U.S. Basic National Fees filed on 09/21/2005
- Priority Documents filed on 09/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The text in the drawings has not been properly translated.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

**DOCKETED**

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$195** for a Small Entity:

- **\$65** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/550,403                  | PCT/JP04/04750                | TOMI 200010      |